

## **Police Station Fixed Fees: logging cases with the DSCC**

17 November 2008

*Clarification on payment for police station attendance work*

Following guidance issued in July of this year, the CDS and Direct Services Teams have continued to receive queries regarding the process for claiming payment for police station attendance work.

The Unified Contract (Crime) states that you may only claim payment for work where instructions have been received via the DSCC. Work carried out for a client from who you have received instructions directly is not Contract Work and you may not make a claim for it.

### **Exceptions**

- Client attends the Police Station by prior agreement with the Police.

You must inform the DSCC within 48 hours.

- Instructions received from a member of the Client's immediate family – spouse, partner, parent, child or sibling.

You must inform the DSCC by telephone before advising the Client.

- You are present at the Police Station when the Client requests advice.

You must inform the DSCC by telephone before advising the Client.

### **48 Hours**

Work that requires you to report the request to the DSCC within 48 hours will not be claimable if the DSCC is not informed within that time. 48 hours is the maximum time limit and does not mean "two working days".

### **Appeals**

The Unified Contract (Crime) does not provide any appeals mechanism that would allow a case to be logged beyond the time limits provided.

Mistakes or omissions on the part of **solicitors, agents or police custody staff** are not grounds for logging cases out of time.

It is therefore imperative that you ensure cases are logged in time.

If you are unsure as to whether a case has been logged you should contact the DSCC for confirmation.

The DSCC can be contacted by telephone, fax or email.

Phone: 08457 500 640

Fax: 020 8763 3191

Email: [casereferrals.dsc@firstassist.co.uk](mailto:casereferrals.dsc@firstassist.co.uk)

### **Police Contacting Solicitors Directly**

Since January 2008 all requests for advice should go through the DSCC. You should not accept cases referred to you directly by the police.

If you attend a Client at the Police Station as a result of a pre-arranged attendance you should not assume that the Police will log the call with the DSCC.

### **Reference Numbers**

The DSCC provide reference numbers to confirm that:

- a) You have accepted a case referred to you by the DSCC; or
- b) You have logged a case within the contractual time limits.

You do not need to inform the DSCC where the circumstances of an investigation changes and so that more than one fixed fee will be claimable **i.e. you do not need to obtain one reference number per fixed fee.**

### **Clients Transferring Instructions**

When a Client wishes to transfer instructions to a second firm of solicitors the second firm **does not have to obtain a reference number from the DSCC** in order to claim payment.

Cases where a provider claims for Police Station Advice and Assistance when the client has already received advice from a different firm in the same Matter are subject to audit. **Payment may be discounted if the second provider cannot show evidence on the file that there was a good reason for the transfer.**

### **DSCC Staff**

The role of the DSCC is to ensure that solicitors are deployed speedily in order to advise and assist detained clients.

DSCC staff are not in a position to make decisions or provide advice on LSC funding rules.

Queries on all funding matters should be referred in the first instance to your Account Manager.